

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

SANTOS GOMEZ, #09169509 §  
§  
VS. § CIVIL CASE NO. 4:24-CV-366-SDJ  
§  
UNITED STATES OF AMERICA §

**ORDER OF DISMISSAL**

This case was referred to United States Magistrate Judge Bill Davis, who issued a Report and Recommendation (Dkt. #5) recommending that the Motion to Vacate, Set Aside, or Correct Sentence pursuant to 28 U.S.C. § 2255 be dismissed without prejudice. The Report and Recommendation of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration. No objections having been timely filed, the Court concludes that the findings and conclusions of the Magistrate Judge are correct and adopts the same as the findings and conclusions of the Court.

It is therefore **ORDERED** that the Motion to Vacate, Set Aside, or Correct Sentence pursuant to 28 U.S.C. § 2255 is **DISMISSED** without prejudice. It is further **ORDERED** that a certificate of appealability is **DENIED**. All motions by either party not previously ruled on are hereby **DENIED**.

**So ORDERED and SIGNED this 20th day of November, 2024.**



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SEAN D. JORDAN  
UNITED STATES DISTRICT JUDGE